

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN TYLER MANNING,

Defendant.

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Case No. 99-3056-01-CR-S-GAF

ORDER

On November 21, 2011, United States Magistrate Judge James C. England conducted a hearing on a request to modify defendant's conditions of supervised release. Defendant was sentenced on June 1, 2000, in the Western District of Missouri, to 169 months custody, followed by a 3-year term of supervised release. The offense of conviction was pursuant to 18 U.S.C. §2251F, a sex offense involving a minor victim. The defendant had also been sentenced to 5 years custody of the Missouri Department of Corrections for statutory rape and 7 years for statutory sodomy. The defendant was afforded an opportunity to participate in the Missouri Department of Corrections' Sex Offender Program while in state custody, but he waived that opportunity. He was not paroled on his Missouri sentence and completed that sentence on May 9, 2011. He was then released to the federal detainer and completed his federal sentence on August 12, 2011. He is under no conditions of parole from the State of Missouri and is not currently bound by the conditions of release that are typically imposed on defendants convicted of a sex offense involving a minor. The current sex offender special conditions were not in effect in June 2000.

Upon careful and independent review of the pending request to modify the conditions of defendant's supervised release, defendant's exceptions to the Magistrate's Report and

Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge James C. England.

Accordingly, it is hereby ORDERED that the conditions of defendant's supervised release are modified as set forth in the Report and Recommendation of the United States Magistrate Judge (Doc. #49).

SO ORDERED.

s/ Gary A. Fenner
Gary A. Fenner, Judge
United States District Court

DATED: December 19, 2011